UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/899,260	HIGASHI ET AL.
	Examiner	Art Unit	
	JENNIFER LIVERSEDGE	3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *01 December 2008*.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-20* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-20* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some * c) ☐ None of:
   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____.
   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date *9/3/2008 and 12/1/2008*.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's amendment and request for continued examination of application 09/899,260 filed on December 1, 2008.

The amendment contains previously presented claims: 6-7 and 9-14.

The amendment contains currently amended claims: 1-5, 8 and 15.

The amendment contains new claims: 16-20.

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 1, 2008 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2, 3, 10-11 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 is unclear with regards to steps of receiving data to be information-processed attached together with an amount of electronic money, and then the subsequent step of relating the data with the electronic money. It is unclear what additional elements are intended with the associating step given that the data was previously received as attached together.

Claim 3 recites the similar issue as cited in claim 2, however the terms receiving and associating are used rather than receiving and relating. Claim 16 appears to have been added to address the previous cited 112 rejection. However, claim 16 refers to a relating step, which is found in claim 2 not claim 3. Therefore, claim 2 remains indefinite and claim 16 does not properly depend from claim 3.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-3, 9-11, 15-16 and 20 are rejected under 35 U.S.C. 101. Based on Supreme Court precedent and recent Federal Circuit decisions, the Office's guidance to examiners is that a § 101 process must (1) be tied to a machine or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. In re Bilski et al, 88 USPQ 2d 1385 CAFC (2008); Diamond v. Diehr, 450 U.S. 175, 184 (1981); Parker v. Flook, 437 U.S. 584, 588 n.9 (1978); Gottschalk v. Benson, 409 U.S. 63, 70 (1972); Cochrane v. Deener, 94 U.S. 780,787-88 (1876).

An example of a method claim that would <u>not</u> qualify as a statutory process

would be a claim that recited purely mental steps. Thus, to qualify as a § 101 statutory

process, the claim should positively recite the other statutory class (the thing or product)

to which it is tied, for example by identifying the apparatus that accomplishes the

method steps, or positively recite the subject matter that is being transformed, for

example by identifying the material that is being changed to a different state.

Here, applicant's method steps fail the first prong of the new Federal Circuit

decision since they are not tied to a machine and can be performed without the use of a

particular machine.

The mere recitation of the machine in the preamble with an absence of a

machine in the body of the claim fails to make the claim statutory under 35 USC 101.

Note the Board of Patent Appeals Informative Opinion Ex parte Langemyeret al-

<u>http://iplaw.bna.com/iplw/5000/split_display.adp?fedfid=10988734&vname=ippqcases2</u>

<u>&wsn=500826000&searchid=6198805&doctypeid=1&type=court&mode=doc&split=0&s</u>

<u>cm=5000&pg=0</u>.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating
        obviousness or nonobviousness.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US

Patent No. 7,075,666 B1 to Aiyama (further referred to as Aiyama), in view of US Patent

6,938,154 B1 to Berson et al. (further referred to as Berson), and further in view of US

Patent 6,338,048 B1 to Mori (further referred to as Mori).

Regarding claim 1, Aiyama discloses an information processing and electronic

payment method (columns 1-8) comprising the steps of:

Receiving, through a network, data including both processing data to be

information-processed and electronic money data of an electronic money issuer

including an amount of electronic money that is necessary for payment for information

processing of said processing data (Figure 1; column 3, lines 52-61; column 6, lines 10-

39; column 8, lines 6-7) and information for determining whether the electronic money

data is valid (column 7, lines 1-5 where a charge card number is received to determine

if the presented form of payment is valid and column 8, lines 4-7 where electronic

money is also collected for payment and it would be obvious that validating the

electronic money would also be performed as credit card validation is performed);

Making a request to determine whether the received electronic money data is

valid or not (column 7, lines 1-5; column 8, lines 6-7); and

When the received electronic money data is confirmed to be valid, automatically

starting the processing of the processing data to be information-processed (column 7,

lines 1-16; column 8, lines 6-7).

Aiyama does not specifically disclose wherein the processing data and the

electronic money data are attached together. However, Berson discloses wherein the

processing data and the electronic money data are attached together (column 6, lines

54-60 where digital cash along with a document are sent over a network for services;

column 1, lines 45-51 where encrypted data are inserted into a packet in a header;

column 2, lines 32-60 and column 4, lines 28-49 where the encrypted digital certificate

is used to enforce usage policies and command for operation of the network device;

column 6, lines 54-60 where the usage policies include payment of print services where

the time a document is sent and the time it is processed is decoupled in order to

process the encrypted documents in between for payment by digital cash which was

sent with the document over the network). It would be obvious to one of ordinary skill in

the art at the time of the invention to adapt the use of attaching the processing data and

electronic money as disclosed by Berson with the mechanism of accepting electronic

money for information processing as disclosed by Aiyama. The motivation would be to

associate the information to be processed and the electronic money to pay for it in an

encrypted packet for association through the process of sending, paying and printing.

Neither Aiyama nor Berson disclose receiving information on the electronic

money issuer for determining if the electronic money is valid. However, Mori discloses

receiving information on the electronic money issuer for determining if the electronic

money is valid (Figures 4, 5, 6, 8; column 5, line 66 – column 6, line 4; column 6, lines

24-27 and lines 45-46; column 8, lines 40-41; column 11, lines 32-45; column 12, line

61 – column 13, line 6) It would be obvious to one of ordinary skill in the art at the time

of the invention to modify the use of validation of credit card or electronic money as

disclosed by the combination of Aiyama and Berson to adapt the receipt of issuer

information as disclosed by Mori. The motivation would be that, as disclosed by Mori, a

credit card account number or electronic account number as displayed on a customer

card includes the issuer as part of the numerical make-up. Therefore, when the card

account input in various ways as known in the art, part of the information received

through that data is an identification of the issuer. Therefore, while Aiyama does not

specifically disclose the receipt of an issuer identification, Aiyama does disclose

receiving a credit card account number and then validating the transaction and it would

be obvious that Aiyama would be using the technique as disclosed by Mori and as well

known in the field in that the account number indicates the issuer to contact for

validation.

Regarding claim 2, Aiyama discloses an information processing method (columns 1-8) comprising the steps of:

Receiving, through a network, data to be information-processed and electronic money data of an electronic money issuer including an amount of electronic money that is necessary for payment for information processing of said processing data (Figure 1; column 3, lines 52-61; column 6, lines 10-39; column 8, lines 6-7) and information for determining whether the electronic money data is valid (column 7, lines 1-5 where a charge card number is received to determine if the presented form of payment is valid and column 8, lines 4-7 where electronic money is also collected for payment and it would be obvious that validating the electronic money would also be performed as credit card validation is performed);

Relating the received data to be information-processed with the electronic money data by which payment for information is made (Figure 4; column 6, lines 10-39; column 7, lines 1-8; column 8, lines 6-7);

Making a request to determine whether the received electronic money data is valid or not (column 7, lines 1-5; column 8, lines 6-7); and

When the received electronic money data is confirmed to be valid, automatically starting the processing of the processing data to be information-processed (column 7, lines 1-16; column 8, lines 6-7).

Aiyama does not specifically disclose wherein the data to be information-processed and the electronic money data are attached together. However, Berson discloses wherein the data to be information-processed and the electronic money data

are attached together (column 6, lines 54-60 where digital cash along with a document

are sent over a network for services; column 1, lines 45-51 where encrypted data are

inserted into a packet in a header; column 2, lines 32-60 and column 4, lines 28-49

where the encrypted digital certificate is used to enforce usage policies and command

for operation of the network device; column 6, lines 54-60 where the usage policies

include payment of print services where the time a document is sent and the time it is

processed is decoupled in order to process the encrypted documents in between for

payment by digital cash which was sent with the document over the network). It would

be obvious to one of ordinary skill in the art at the time of the invention to adapt the use

of attaching the processing data and electronic money as disclosed by Berson with the

mechanism of accepting electronic money for information processing as disclosed by

Aiyama. The motivation would be to associate the information to be processed and the

electronic money to pay for it in an encrypted packet for association through the process

of sending, paying and printing.

Neither Aiyama nor Berson disclose receiving information on the electronic

money issuer for determining if the electronic money is valid. However, Mori discloses

receiving information on the electronic money issuer for determining if the electronic

money is valid (Figures 4, 5, 6, 8; column 5, line 66 – column 6, line 4; column 6, lines

24-27 and lines 45-46; column 8, lines 40-41; column 11, lines 32-45; column 12, line

61 – column 13, line 6) It would be obvious to one of ordinary skill in the art at the time

of the invention to modify the use of validation of credit card or electronic money as

disclosed by the combination of Aiyama and Berson to adapt the receipt of issuer

information as disclosed by Mori. The motivation would be that, as disclosed by Mori, a

credit card account number or electronic account number as displayed on a customer

card includes the issuer as part of the numerical make-up. Therefore, when the card

account input in various ways as known in the art, part of the information received

through that data is an identification of the issuer. Therefore, while Aiyama does not

specifically disclose the receipt of an issuer identification, Aiyama does disclose

receiving a credit card account number and then validating the transaction and it would

be obvious that Aiyama would be using the technique as disclosed by Mori and as well

known in the field in that the account number indicates the issuer to contact for

validation.

Regarding claim 3, Aiyama discloses an electronic payment method (columns 1-

8) comprising the steps of:

Receiving, through a network, data to be information-processed and electronic

money data of an electronic money issuer including an amount of electronic money that

is necessary for payment for information processing of said processing data (Figure 1;

column 3, lines 52-61; column 6, lines 10-39; column 8, lines 6-7) and information for

determining whether the electronic money data is valid (column 7, lines 1-5 where a

charge card number is received to determine if the presented form of payment is valid

and column 8, lines 4-7 where electronic money is also collected for payment and it

would be obvious that validating the electronic money would also be performed as credit

card validation is performed);

Associating the data to be information-processed with the electronic money data

by which payment for information-processing is made (Figure 4; column 6, lines 10-39;

column 7, lines 1-5; column 8, lines 6-7);

Making a request to determine whether the received electronic money data is

valid or not (column 7, lines 1-5; column 8, lines 6-7); and

When the received electronic money data is confirmed to be valid, automatically

starting the processing of the processing data which is associated with the validated

electronic money data (column 7, lines 1-16; column 8, lines 6-7).

Aiyama does not specifically disclose wherein the data to be information-

processed and the electronic money data are attached together. However, Berson

discloses wherein the data to be information-processed and the electronic money data

are attached together (column 6, lines 54-60 where digital cash along with a document

are sent over a network for services; column 1, lines 45-51 where encrypted data are

inserted into a packet in a header; column 2, lines 32-60 and column 4, lines 28-49

where the encrypted digital certificate is used to enforce usage policies and command

for operation of the network device; column 6, lines 54-60 where the usage policies

include payment of print services where the time a document is sent and the time it is

processed is decoupled in order to process the encrypted documents in between for

payment by digital cash which was sent with the document over the network). It would

be obvious to one of ordinary skill in the art at the time of the invention to adapt the use

of attaching the processing data and electronic money as disclosed by Berson with the

mechanism of accepting electronic money for information processing as disclosed by

Aiyama. The motivation would be to associate the information to be processed and the electronic money to pay for it in an encrypted packet for association through the process of sending, paying and printing.

Neither Aiyama nor Berson disclose receiving information on the electronic money issuer for determining if the electronic money is valid. However, Mori discloses receiving information on the electronic money issuer for determining if the electronic money is valid (Figures 4, 5, 6, 8; column 5, line 66 – column 6, line 4; column 6, lines 24-27 and lines 45-46; column 8, lines 40-41; column 11, lines 32-45; column 12, line 61 – column 13, line 6) It would be obvious to one of ordinary skill in the art at the time of the invention to modify the use of validation of credit card or electronic money as disclosed by the combination of Aiyama and Berson to adapt the receipt of issuer information as disclosed by Mori. The motivation would be that, as disclosed by Mori, a credit card account number or electronic account number as displayed on a customer card includes the issuer as part of the numerical make-up. Therefore, when the card account input in various ways as known in the art, part of the information received through that data is an identification of the issuer. Therefore, while Aiyama does not specifically disclose the receipt of an issuer identification, Aiyama does disclose receiving a credit card account number and then validating the transaction and it would be obvious that Aiyama would be using the technique as disclosed by Mori and as well known in the field in that the account number indicates the issuer to contact for validation.

Regarding claim 4, Aiyama discloses a system for making payment by electronic

money (columns 1-8) comprising:

A user side subsystem including a user's terminal (Figures 1 and 4),

An electronic money issuer side subsystem including an electronic money

issuing server (Figure 4), and

A processor side subsystem including a data processor that performs a

processing based on processing request data from the user (Figures 1 and 4),

Wherein the user side subsystem, the electronic money issuer side subsystem

and the processor side subsystem are connected to one another through a network

(Figure 4),

Wherein the user side subsystem transmits both the processing request data and

electronic money data of the electronic money issuer including an amount of electronic

money issued by the electronic money issuer side subsystem that is necessary for

payment for processing of the processing request data (Figure 1; column 3, lines 52-61;

column 6, lines 10-39; column 8, lines 6-7) and information for determining whether the

electronic money data is valid (column 7, lines 1-5 where a charge card number is

received to determine if the presented form of payment is valid and column 8, lines 4-7

where electronic money is also collected for payment and it would be obvious that

validating the electronic money would also be performed as credit card validation is

performed);

The processor side subsystem transmits the electronic money data to the electronic money issuer side subsystem (column 6, lines 10-67; column 7, lines 1-5; column 8, lines 6-7);

The electronic money issuer side system determines whether the electronic money data is valid or not (column 7, lines 1-5; column 8, lines 6-7); and

The processor side subsystem performs the processing based on the processing request data in accordance with a result of the electronic money data validation and transmits a request for payment for the processing to the electronic money issuer side subsystem (column 6, lines 10-67; column 7, lines 1-16; column 8, lines 6-7).

Aiyama does not specifically disclose wherein the data to be information-processed and the electronic money data are attached together. However, Berson discloses wherein the data to be information-processed and the electronic money data are attached together (column 6, lines 54-60 where digital cash along with a document are sent over a network for services; column 1, lines 45-51 where encrypted data are inserted into a packet in a header; column 2, lines 32-60 and column 4, lines 28-49 where the encrypted digital certificate is used to enforce usage policies and command for operation of the network device; column 6, lines 54-60 where the usage policies include payment of print services where the time a document is sent and the time it is processed is decoupled in order to process the encrypted documents in between for payment by digital cash which was sent with the document over the network). It would be obvious to one of ordinary skill in the art at the time of the invention to adapt the use of attaching the processing data and electronic money as disclosed by Berson with the

mechanism of accepting electronic money for information processing as disclosed by Aiyama. The motivation would be to associate the information to be processed and the electronic money to pay for it in an encrypted packet for association through the process of sending, paying and printing.

Neither Aiyama nor Berson disclose receiving information on the electronic money issuer for determining if the electronic money is valid. However, Mori discloses receiving information on the electronic money issuer for determining if the electronic money is valid (Figures 4, 5, 6, 8; column 5, line 66 – column 6, line 4; column 6, lines 24-27 and lines 45-46; column 8, lines 40-41; column 11, lines 32-45; column 12, line 61 – column 13, line 6) It would be obvious to one of ordinary skill in the art at the time of the invention to modify the use of validation of credit card or electronic money as disclosed by the combination of Aiyama and Berson to adapt the receipt of issuer information as disclosed by Mori. The motivation would be that, as disclosed by Mori, a credit card account number or electronic account number as displayed on a customer card includes the issuer as part of the numerical make-up. Therefore, when the card account input in various ways as known in the art, part of the information received through that data is an identification of the issuer. Therefore, while Aiyama does not specifically disclose the receipt of an issuer identification, Aiyama does disclose receiving a credit card account number and then validating the transaction and it would be obvious that Aiyama would be using the technique as disclosed by Mori and as well known in the field in that the account number indicates the issuer to contact for validation.

Regarding claims 5-6, Aiyama discloses an electronic money processor (columns

1-8) comprising:

A receiving member which receives both processing request data transmitted

from a user through a network and based on which a processing requested by the user

is executed and electronic money data of an electronic money issuer transmitted from

the user through the network and including an amount of electronic money that is

necessary for payment for processing said processing request data and issued by an

electronic money issuer (Figure 1; column 3, lines 52-61; column 6, lines 10-39; column

8, lines 6-7) and information for determining whether the electronic money data is valid

(column 7, lines 1-5 where a charge card number is received to determine if the

presented form of payment is valid and column 8, lines 4-7 where electronic money is

also collected for payment and it would be obvious that validating the electronic money

would also be performed as credit card validation is performed);

A memory in which the processing request data received by the receiving

member is stored (Figure 1; column 3, lines 52-61);

A transmitter which transmits the electronic money data received by the receiving

member to the electronic money issuer to check whether the electronic money data is

valid or not (Figure 4; column 6, lines 10-67; column 7, lines 1-5; column 8, lines 6-7);

and

An execution controller which controls execution of the processing based on the

processing request data corresponding to the electronic money data and stored in the

memory in accordance with a result of the check of validity of the electronic money

data(column 7, lines 1-16; column 8, lines 6-7).

Aiyama does not specifically disclose wherein the data to be information-

processed and the electronic money data are attached together. However, Berson

discloses wherein the data to be information-processed and the electronic money data

are attached together (column 6, lines 54-60 where digital cash along with a document

are sent over a network for services; column 1, lines 45-51 where encrypted data are

inserted into a packet in a header; column 2, lines 32-60 and column 4, lines 28-49

where the encrypted digital certificate is used to enforce usage policies and command

for operation of the network device; column 6, lines 54-60 where the usage policies

include payment of print services where the time a document is sent and the time it is

processed is decoupled in order to process the encrypted documents in between for

payment by digital cash which was sent with the document over the network). It would

be obvious to one of ordinary skill in the art at the time of the invention to adapt the use

of attaching the processing data and electronic money as disclosed by Berson with the

mechanism of accepting electronic money for information processing as disclosed by

Aiyama. The motivation would be to associate the information to be processed and the

electronic money to pay for it in an encrypted packet for association through the process

of sending, paying and printing.

Neither Aiyama nor Berson disclose receiving information on the electronic

money issuer for determining if the electronic money is valid. However, Mori discloses

receiving information on the electronic money issuer for determining if the electronic

money is valid (Figures 4, 5, 6, 8; column 5, line 66 – column 6, line 4; column 6, lines 24-27 and lines 45-46; column 8, lines 40-41; column 11, lines 32-45; column 12, line 61 – column 13, line 6) It would be obvious to one of ordinary skill in the art at the time of the invention to modify the use of validation of credit card or electronic money as disclosed by the combination of Aiyama and Berson to adapt the receipt of issuer information as disclosed by Mori. The motivation would be that, as disclosed by Mori, a credit card account number or electronic account number as displayed on a customer card includes the issuer as part of the numerical make-up. Therefore, when the card account input in various ways as known in the art, part of the information received through that data is an identification of the issuer. Therefore, while Aiyama does not specifically disclose the receipt of an issuer identification, Aiyama does disclose receiving a credit card account number and then validating the transaction and it would be obvious that Aiyama would be using the technique as disclosed by Mori and as well known in the field in that the account number indicates the issuer to contact for validation.

Regarding claim 7, Aiyama discloses an image forming apparatus comprising the electronic money processor as claimed in claim 5 (see rejection to claim 5 above), further comprising:

An image forming portion in which execution of the processing is based on the control of the processing request data by the execution control means of the electronic money processor (column 7, lines 1-16).

Regarding claim 8, Aiyama discloses an image forming apparatus comprising:

A receiving member which receives both print data transmitted from a user through a network and electronic money data of an electronic money issuer corresponding to the print data transmitted from the user through the network and including an amount of electronic money issued by an electronic money issuer that is necessary for payment for processing said print data (Figure 1; column 3, lines 52-61; column 6, lines 10-39; column 8, lines 6-7) and information for determining whether the electronic money data is valid (column 7, lines 1-5 where a charge card number is received to determine if the presented form of payment is valid and column 8, lines 4-7 where electronic money is also collected for payment and it would be obvious that validating the electronic money would also be performed as credit card validation is performed);

A transmitter which transmits the electronic money data received by the receiving member to the electronic money issuer to check whether the electronic money data is valid or not (Figure 4; column 6, lines 10-67; column 7, lines 1-5; column 8, lines 6-7); and

An image forming portion which processes the print data in accordance with a result of the check of validity of the electronic money data (column 7, lines 1-16).

Aiyama does not specifically disclose wherein the data to be information-processed and the electronic money data are attached together. However, Berson discloses wherein the data to be information-processed and the electronic money data

are attached together (column 6, lines 54-60 where digital cash along with a document

are sent over a network for services; column 1, lines 45-51 where encrypted data are

inserted into a packet in a header; column 2, lines 32-60 and column 4, lines 28-49

where the encrypted digital certificate is used to enforce usage policies and command

for operation of the network device; column 6, lines 54-60 where the usage policies

include payment of print services where the time a document is sent and the time it is

processed is decoupled in order to process the encrypted documents in between for

payment by digital cash which was sent with the document over the network). It would

be obvious to one of ordinary skill in the art at the time of the invention to adapt the use

of attaching the processing data and electronic money as disclosed by Berson with the

mechanism of accepting electronic money for information processing as disclosed by

Aiyama. The motivation would be to associate the information to be processed and the

electronic money to pay for it in an encrypted packet for association through the process

of sending, paying and printing.

Neither Aiyama nor Berson disclose receiving information on the electronic

money issuer for determining if the electronic money is valid. However, Mori discloses

receiving information on the electronic money issuer for determining if the electronic

money is valid (Figures 4, 5, 6, 8; column 5, line 66 – column 6, line 4; column 6, lines

24-27 and lines 45-46; column 8, lines 40-41; column 11, lines 32-45; column 12, line

61 – column 13, line 6) It would be obvious to one of ordinary skill in the art at the time

of the invention to modify the use of validation of credit card or electronic money as

disclosed by the combination of Aiyama and Berson to adapt the receipt of issuer

information as disclosed by Mori. The motivation would be that, as disclosed by Mori, a

credit card account number or electronic account number as displayed on a customer

card includes the issuer as part of the numerical make-up. Therefore, when the card

account input in various ways as known in the art, part of the information received

through that data is an identification of the issuer. Therefore, while Aiyama does not

specifically disclose the receipt of an issuer identification, Aiyama does disclose

receiving a credit card account number and then validating the transaction and it would

be obvious that Aiyama would be using the technique as disclosed by Mori and as well

known in the field in that the account number indicates the issuer to contact for

validation.

Regarding claims 9-14, Aiyama does not specifically disclose wherein the

processing data and electronic money are attached together in a data packet including

header information and print control command. However, Berson discloses wherein the

data to be information-processed and the electronic money are attached together in a

data packet including header information and print control command (column 6, lines

54-60 where digital cash along with a document are sent over a network for services;

column 1, lines 45-51 where encrypted data are inserted into a packet in a header;

column 2, lines 32-60 and column 4, lines 28-49 where the encrypted digital certificate

is used to enforce usage policies and command for operation of the network device;

column 6, lines 54-60 where the usage policies include payment of print services where

the time a document is sent and the time it is processed is decoupled in order to

process the encrypted documents in between for payment by digital cash which was

sent with the document over the network). It would be obvious to one of ordinary skill in

the art at the time of the invention to adapt the use of attaching the processing data and

electronic money in a data packet including header information and print control

command as disclosed by Berson with the mechanism of accepting electronic money

for information processing as disclosed by Aiyama. The motivation would be to

associate the information to be processed and the electronic money to pay for it in an

encrypted packet for association through the process of sending, paying and printing.

Regarding claim 15, Aiyama discloses an information processing method

(columns 1-8) comprising the steps of:

Receiving, through a network, job data including processing data to be

information-processed and electronic money data of an electronic money issuer

including an amount of electronic money that is necessary for payment for information

processing of said processing data (Figure 1; column 3, lines 52-61; column 6, lines 10-

39; column 8, lines 6-7) and information for determining whether the electronic money

data is valid (column 7, lines 1-5 where a charge card number is received to determine

if the presented form of payment is valid and column 8, lines 4-7 where electronic

money is also collected for payment and it would be obvious that validating the

electronic money would also be performed as credit card validation is performed);

Making a request to determine whether the electronic money data is valid

(column 7, lines 1-5; column 8, lines 6-7); and

When the received electronic money data is confirmed to be valid, automatically starting the processing of the processing data to be information-processed (column 7, lines 1-16; column 8, lines 6-7).

Aiyama does not disclose separating processing data and the electronic money data. However, Berson discloses where processing data and electronic money data are received together (column 6, lines 54-60 where digital cash along with a document are sent over a network for services; column 1, lines 45-51 where encrypted data are inserted into a packet in a header; column 2, lines 32-60 and column 4, lines 28-49 where the encrypted digital certificate is used to enforce usage policies and command for operation of the network device; column 6, lines 54-60 where the usage policies include payment of print services where the time a document is sent and the time it is processed is decoupled in order to process the encrypted documents in between for payment by digital cash which was sent with the document over the network) and wherein a portion of that data is decrypted for operation of the network device (column 2, lines 37-60; column 4, lines 26-49). It would be obvious to one of ordinary skill in the art at the time of the invention to adapt the separation of the processing information and the electronic money data as disclosed by Berson with the processing of information processing data and validation of payment by electronic payment as disclosed by Aiyama. The motivation would be that though the data are received together, different portions of the data require different validation methods and therefore need to be separated to accommodate the validation.

Neither Aiyama nor Berson disclose receiving information on the electronic

money issuer for determining if the electronic money is valid. However, Mori discloses

receiving information on the electronic money issuer for determining if the electronic

money is valid (Figures 4, 5, 6, 8; column 5, line 66 – column 6, line 4; column 6, lines

24-27 and lines 45-46; column 8, lines 40-41; column 11, lines 32-45; column 12, line

61 – column 13, line 6) It would be obvious to one of ordinary skill in the art at the time

of the invention to modify the use of validation of credit card or electronic money as

disclosed by the combination of Aiyama and Berson to adapt the receipt of issuer

information as disclosed by Mori. The motivation would be that, as disclosed by Mori, a

credit card account number or electronic account number as displayed on a customer

card includes the issuer as part of the numerical make-up. Therefore, when the card

account input in various ways as known in the art, part of the information received

through that data is an identification of the issuer. Therefore, while Aiyama does not

specifically disclose the receipt of an issuer identification, Aiyama does disclose

receiving a credit card account number and then validating the transaction and it would

be obvious that Aiyama would be using the technique as disclosed by Mori and as well

known in the field in that the account number indicates the issuer to contact for

validation.

Regarding claims 16-20, Aiyama does not disclose where the processing request

data and the electronic money data are designated by a group identifier common to

both the processing request data and the electronic money data to allow separate

processing of the processing request data and the electronic money data. However,

Berson discloses where the processing request data and the electronic money data are

designated by a group identifier common to both the processing request data and the

electronic money data to allow separate processing of the processing request data and

the electronic money data (column 1, lines 45-51; column 2, lines 56-60; column 4, lines

28-35column 6, lines 54-60). Given the combination of Aiyama and Berson above

which provides for the printing by payment with electronic money where the processing

information and electronic money are received together as disclosed by the combination

of Aiyama and Berson to adapt a group identifier for the two pieces of information and

wherein the information can be separated for processing as further disclosed by Berson.

The motivation would be that processing information to be printed and payment

information to be validated required different processing methods and therefore, though

they come attached, they need to be separated for processing, as disclosed by Berson.

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are

moot in view of the new ground(s) of rejection. The newly added limitation regarding

the receiving of information on the electronic money issuer has been addressed in the

rejection above.

Conclusion

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday - Friday, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached at 571-272-6702. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jennifer Liversedge/
Examiner, Art Unit 3692